

ASSEMBLY BILL

No. 1497

Introduced by Assembly Member Hall

February 27, 2009

An act to amend Section 2893 of the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

AB 1497, as introduced, Hall. Telephone call identification service.

Existing law, with specified exceptions, requires the Public Utilities Commission to require any call identification service offered by a telephone corporation, or by any other person or corporation that makes use of the facilities of a telephone corporation, to allow the caller, at no charge, to withhold, on an individual basis, the display of the caller's telephone number from the telephone instrument of the individual receiving the call, but prohibits a caller from withholding the display of the caller's business telephone number when that number is being used for telemarketing purposes. Existing law requires that a telephone corporation notify its subscribers that their calls may be identified to a called party either (1) 30 or more days before the telephone corporation commences to participate in the offering of a call identification service, or (2) by March 1, 1990, if the telephone corporation is participating in a call identification service prior to January 1, 1990.

This bill would delete the requirement that a telephone corporation that is participating in a call identification service prior to January 1, 1990, notify subscribers by March 1, 1990, that their calls may be identified to a called party.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 2893 of the Public Utilities Code is amended to read:

2893. (a) The commission shall, by rule or order, require that every telephone call identification service offered in this state by a telephone corporation, or by any other person or corporation that makes use of the facilities of a telephone corporation, shall allow a caller to withhold display of the caller's telephone number, on an individual basis, from the telephone instrument of the individual receiving the telephone call placed by the caller. However a caller shall not be allowed to withhold the display of the caller's business telephone number when that number is being used for telemarketing purposes.

(b) There shall be no charge to the caller who requests that his or her telephone number be withheld from the recipient of any call placed by the caller.

(c) The commission shall direct every telephone corporation to notify its subscribers that their calls may be identified to a called party ~~either: 30 or more days before the telephone corporation commences to participate in the offering of a call identification service.~~

~~(1) Thirty or more days before the telephone corporation commences to participate in the offering of a call identification service.~~

~~(2) By March 1, 1990, if the telephone corporation is participating in a call identification service prior to January 1, 1990.~~

(d) This section does not apply to any of the following:

(1) An identification service which is used within the same limited system, including, but not limited to, a Centrex or private branch exchange (PBX) system, as the recipient telephone.

(2) An identification service which is used on a public agency's emergency telephone line or on the line which receives the primary emergency telephone number (911).

(3) Any identification service provided in connection with legally sanctioned call tracing or tapping procedures.

(4) Any identification service provided in connection with any "800" or "900" access code telephone service until the telephone

1 corporation develops the technical capability to comply with
2 subdivision (a), as determined by the commission.

3 (e) Until the market for local telephone service is competitive,
4 a telephone corporation shall not charge any subscriber for having
5 an unlisted or unpublished telephone number. However, nothing
6 in this subdivision shall be interpreted by the commission to reduce
7 the revenues of telephone corporations. Any actions of the
8 commission pursuant to this subdivision shall be implemented on
9 a competitively neutral basis. This charge shall not be eliminated
10 prior to the effective date upon which offsetting rates are
11 implemented by the commission.

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